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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Thane M. Larson et al.	Examiner:	Dung C. Dinh
Serial No.:	09/924,029	Group Art Unit:	2152
Filed:	August 7, 2001	Docket No.:	10012573-1 / H300.171.101
Title:	SYSTEM AND METHOD FOR PROVIDING NETWORK ADDRESS INFORMATION IN A SERVER SYSTEM		

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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1. Transmittal of Reply Brief (1 pg.); and
2. Appellants' Reply Brief to Examiner's Answer to the Board of Patent Appeals and Interferences (21 pgs.).

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HEWLETT-PACKARD COMPANY
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10012573-1IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Thane M. Larson et al.

Confirmation No.:

Application No.: 09/924,029

Examiner: Dung C. Dinh

Filing Date: August 7, 2001

Group Art Unit: 2152

Title: SYSTEM AND METHOD FOR PROVIDING NETWORK ADDRESS INFORMATION IN A SERVER SYSTEM

Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450TRANSMITTAL OF REPLY BRIEFTransmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on February 15, 2006.

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

No fee is required for filing of this Reply Brief.

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Respectfully submitted,

Thane M. Larson et al.

By Jeff A. Holmen

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MAR 31 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Thane M. Larson et al.	Examiner:	Dung C. Dinh
Serial No.:	09/924,029	Group Art Unit:	2152
Filed:	August 7, 2001	Docket No.:	10012573-1 / H300.171.101
Due Date:	April 15, 2006		
Title:	SYSTEM AND METHOD FOR PROVIDING NETWORK ADDRESS INFORMATION IN A SERVER SYSTEM		

**APPELLANTS' REPLY BRIEF TO EXAMINER'S ANSWER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir/Madam:

Appellants' Reply Brief

This Reply Brief to Examiner's Answer is presented in response to the Examiner's Answer mailed February 15, 2006, and in support of the Notice of Appeal filed on November 7, 2005, from the Final Office Action dated August 12, 2005, and the Advisory Action dated October 28, 2005, of the Examiner rejecting claims 1-20 of the above identified application. Twenty claims remain for consideration.

The U.S. Patent and Trademark Office is hereby authorized the Charge Deposit Account No. 08-2025 at any time during the pendency of this application. Please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account 08-2025 under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Appellant respectfully requests reversal of the Examiner's rejection of pending claims 1-20.

Appellants' Reply Brief to Examiner's Answer to the Board of Patent Appeals and Interferences
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REAL PARTY IN INTEREST

The real party in interest is Hewlett-Packard Development Company, LP having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellant that will have a bearing on the Board's decision in the present Appeal.

STATUS OF CLAIMS

In a Final Office Action mailed August 12, 2005, claims 1-20 were finally rejected. Claims 1-20 are pending in the application, and are the subject of the present Appeal. In the Examiner's Answer mailed on February 15, 2006, the Examiner set forth a new ground of rejection of claims 1-7, and a new ground of rejection of claims 8, 14, and 20. These new grounds of rejection are addressed in the present Reply Brief.

STATUS OF AMENDMENTS

No amendments have been entered subsequent to the Final Office Action mailed August 12, 2005. A Response After Final was filed on October 10, 2005, but no amendments to the claims were proposed by Appellants or entered by the Examiner.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The Summary is set forth as an exemplary embodiment as the language corresponding to independent claims 1, 9, and 15. Discussions about elements of claims 1, 9, and 15 can be found at least at the cited locations in the specification and drawings.

The present invention, as claimed in independent claim 1, provides a server system that includes a plurality of host processor cards. A management card is coupled to the plurality of host processor cards via at least one bus. The management card includes at least

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one user interface for receiving network address information from a user. The management card is configured to send received network address information to the plurality of host processor cards via the at least one bus, thereby configuring the host processor cards for management LAN communications. (See, e.g., specification at page 2, line 27 to page 5, line 24; page 6, line 21 to page 7, line 14; page 8, line 26 to page 12, line 9; page 13, line 20 to page 14, line 19; page 15, line 26 to page 17, line 28; Figures 1, 2, 3, and 5; reference numbers 100, 300A, 300E, 310A-310D, 532, and 554A-554G).

The present invention, as claimed in independent claim 9 provides a server management card for a server system having a plurality of host processor cards. The server management card includes at least one user interface for allowing a user to enter network address information. At least one I²C bus connection connects the server management card to the plurality of host processor cards via at least one I²C bus. A controller is configured to output entered network address information to the plurality of host processor cards via the at least one I²C bus connection, thereby configuring the plurality of host processor cards for network communications. (See, e.g., specification at page 2, line 27 to page 5, line 24; page 6, line 21 to page 7, line 14; page 8, line 26 to page 12, line 9; page 13, line 20 to page 14, line 19; page 15, line 26 to page 17, line 28; Figures 1, 2, 3, and 5; reference numbers 100, 300A, 300E, 310A-310D, 532, and 554A-554G).

The present invention, as claimed in independent claim 15, provides a method of configuring host processor cards in a server system for management network communications. The method includes providing a management card in the server system having at least one user interface, providing at least one bus connecting the management card and the host processor cards, entering network address information to the management card through the at least one user interface, and sending entered network address information from the management card to the host processor cards, thereby configuring the host processor cards for management network communications. (See, e.g., specification at page 2, line 27 to page 5, line 24; page 6, line 21 to page 7, line 14; page 8, line 26 to page 12, line 9; page 13, line 20 to page 14, line 19; page 15, line 26 to page 17, line 28; Figures 1, 2, 3, and 5; reference numbers 100, 300A, 300E, 310A-310D, 532, and 554A-554G).

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GROUND OF REJECTION TO BE REVIEWED ON APPEAL

- I. Claims 1-7, 9-13, and 15-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the "admitted prior art" in view of Verthein et al., U.S. Patent No. 6,678,284.
- II. Claims 8, 14, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the "admitted prior art" in view of Verthein, U.S. Patent No. 6,678,284, and Liu, U.S. Patent No. 6,185,110.
- III. New Ground of Rejection presented in Examiner's Answer - Claims 1-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the "admitted prior art" in view of Verthein et al., U.S. Patent No. 6,678,284, and Sides, U.S. Patent No. 6,363,449.
- IV. New Ground of Rejection presented in Examiner's Answer - Claims 8, 14, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the "admitted prior art" in view of Verthein et al., U.S. Patent No. 6,678,284, Sides, U.S. Patent No. 6,363,449, and Liu, U.S. Patent No. 6,185,110.

ARGUMENT

I. The Applicable Law

The Examiner has the burden under 35 U.S.C. §103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). Three criteria must be satisfied to establish a *prima facie* case of obviousness. First, the Examiner must show that some objective teaching in the prior art or some knowledge generally available to one of ordinary skill in the art would teach, suggest, or motivate one to modify a reference or to combine the teachings of multiple references. *Id.* Second, the prior art can be modified or combined only so long as there is a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Third, the prior art reference or combined prior art references must teach or suggest all of the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). These three criteria are also set forth in §706.02(j) of the M.P.E.P.

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II. Rejection of Claims 1-7, 9-13, and 15-19 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein

The Examiner rejected claims 1-7, 9-13, and 15-19 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein et al., U.S. Patent No. 6,678,284 ("Verthein"). Appellants addressed these rejections in the Appeal Brief filed on January 3, 2006, and explained in detail how the Examiner has not established a *prima facie* case of obviousness of claims 1-7, 9-13, and 15-19.

III. Rejections of Claims 8, 14, and 20 under 35 U.S.C. §103(a) as being unpatentable over the admitted prior art, and further in view of Verthein and Liu.

The Examiner rejected claims 8, 14, and 20 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art," in view of Verthein and Liu, U.S. Patent No. 6,185,110 ("Liu"). Appellants addressed these rejections in the Appeal Brief filed on January 3, 2006, and explained in detail how the Examiner has not established a *prima facie* case of obviousness of claims 8, 14, and 20.

IV. New Rejection of Claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein and Sides

In the Examiner's Answer mailed on February 15, 2006, the Examiner rejected claims 1-7 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein et al., U.S. Patent No. 6,678,284 ("Verthein"), and Sides et al., U.S. Patent No. 6,363,449 ("Sides"). Appellants submit that the Examiner has not established a *prima facie* case of obviousness of claims 1-7.

A. Rejection of Claims 1 and 7 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein and Sides

In the Examiner's Answer mailed on February 15, 2006, the Examiner stated the following regarding claim 1:

As per claim 1, a server system with plurality of host processing cards and manual assignment of IP addresses to the host processing cards are

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admitted prior art (Applicant's specification page 1). The admitted prior art does not have an integrated management card with user interface for manual assignment of the IP addresses. The admitted prior art uses a separate terminal connected via RS-232 interface for setting up the IP address information. In similar field of invention, Verthein teaches providing a general purpose computing card in the server chassis coupled to plurality of network service cards via the internal chassis bus (col. 2 lines 55-62). The general purpose computing card is installed with management software (col. 3 line 1) such that a user can directly interact with it (col. 4 line 31-35). This provides for improve network management and reduces access and processing time. (See Verthein col.2 line 68 to col. 3 line 8). Hence, given the teaching of Verthein, one of ordinary skill in the art would have been motivated at the time of the invention to have a management card in the chassis of the Admitted Prior Art server system for managing the host processor cards in the chassis because it would have eliminated the need for connecting an external terminal to the chassis and improved management and reduced access time to the host processing cards in the chassis (Verthein col. 3 lines 1-8). (Examiner's Answer at pages 4-5).

Independent claim 1 recites "the management card including at least one user interface for receiving network address information from a user". Applicant did not admit that this limitation is prior art. As the Examiner pointed out, Verthein discloses a general purpose computing card 24. However, there is no teaching or suggestion in Verthein that the computing card 24 (or any other card disclosed therein) includes at least one user interface for receiving network address information from a user.

Independent claim 1 also recites "the management card configured to send received network address information to the plurality of host processor cards via the at least one bus, thereby configuring the host processor cards for management LAN communications." Applicant did not admit that this limitation is prior art. There is no teaching or suggestion in Verthein that the computing card 24 (or any other card disclosed therein) is configured to send received network address information to a plurality of host processor cards via a bus, thereby configuring the host processor cards for management LAN communications. Sides also does not teach or suggest the above-quoted limitations of independent claim 1. Thus, the cited prior art, either alone, or in combination, does not teach or suggest each and every limitation of independent claim 1.

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One of the requirements of establishing a *prima facie* case of obviousness is that "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143. Even if the computing card 24 disclosed in Verthein were incorporated into a server system with a plurality of host processor cards, which the Examiner appeared to propose in the above block quote despite no suggestion in the cited prior art to make such a combination, this combination does not teach or suggest all of the claim limitations. The cited prior art does not teach or suggest that the computing card 24 could or should be configured to receive network address information from a user. The cited prior art also does not teach or suggest that the computing card 24 could or should send received network address information to a plurality of host processor cards via a bus, and thereby configure the host processor cards for management LAN communications. Applicant respectfully submits that a *prima facie* case of obviousness of claim 1 has not been established. Simply pointing out that the computing card 24 is "installed with management software" does not establish a *prima facie* case of obviousness, as this does not teach or suggest the claim limitations addressed above.

In the Final Office Action, the Examiner stated the following:

As admitted by Applicant in the background disclosure, it is known in the art to manually assign IP to host processing cards. This is a conventional configuration procedure. The admitted prior art system uses RS-323 (sic) interface as the interface to configure these host processing cards. Verthein teaches an improved method for network management by providing a computing card in direct communication with the internal chassis bus for carrying out management function [see col. 2, lines 55-60.] Hence, it is clear from Verthein teaching that configuration information is transmitted to cards in the chassis via the internal chassis bus (see col. 3 lines 1-7 and 9-14). Given the teaching of Verthein, it clearly would have been obvious to use Verthein computing card to manage a chassis containing host processing cards such as that of the admitted prior art system. Since part of the management of the host processing cards is the manual assignment of IP addresses, it is apparent that IP addresses assignment input by the administrator would be transmitted from the Verthein computing card to the processing cards via the chassis internal bus. (Final Office Action at pages 2-3) (emphasis added).

The Examiner made several statements (highlighted above) that are not supported by any disclosure in the cited prior art. Each of these statements is addressed in the Appeal Brief

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filed on January 3, 2006. As Appellants addressed in the Appeal Brief, the Examiner's reliance on such unsupported statements and speculation does not establish a *prima facie* case of obviousness. In the Response to Argument section of the Examiner's Answer, the Examiner submitted the following revised version of the above-quoted paragraph:

As admitted by applicant in the background disclosure, it is known in the art to manually assign IP to host processing cards. This is a conventional configuration procedure. The admitted prior art system uses RS-323 (sic) interface to configure the host processing cards in the chassis. **The prior art system inherently has a user interface for a user to enter the IP address for transmission to the host processing cards in the chassis.**

Verthein teaches an improved method for management of a chassis by providing a general computing card connected to the internal chassis bus for carrying out management function of the cards in the chassis [see col. 2 lines 55-60]. **It is clear from Verthein teaching that configuration information is transmitted from the general computing card to processing cards in the chassis via the internal chassis bus (see col. 3 lines 1-7 and 9-14).** Verthein discloses that his invention provides reduce access time to the chassis (col. 3 lines 5-8). **Hence, given the teaching of Verthein, it would have been obvious for one of ordinary skill in the art at the time of the invention to use Verthein general computing card to manage a cards in a chassis such as that of the Admitted Prior Art system because it would have provided management function within the chassis and reduces access time to the chassis (Verthein col. 3 lines 5-8).** (Examiner's Answer at page 8) (emphasis added).

The Examiner stated in the above block quote that "[t]he prior art system inherently has a user interface for a user to enter the IP address for transmission to the host processing cards in the chassis". This statement ignores the claim language. Claim 1 recites **"the management card including** at least one user interface for receiving network address information from a user". There is no disclosure in the "admitted prior art" regarding a management card, let alone a management card that includes at least one user interface for receiving network address information from a user. Such a management card is also not inherent in the "admitted prior art". The Federal Circuit has stated that "[i]nherent anticipation requires that the missing descriptive material is 'necessarily present,' not merely probably or possibly present, in the prior art." *Trintec Indus., v. Top-U.S.A. Corp.*, 63 USPQ2d 1597, 1599 (Fed. Cir. 2002) (quoting *In re Robertson*, 49 USPQ2d 1949, 1950-51

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(Fed. Cir. 1999)). A management card with at least one user interface for receiving network address information is not "necessarily present" in the "admitted prior art system".

The Examiner stated in the above block quote that "it is clear from Verthein teaching that configuration information is transmitted to cards in the chassis via the internal chassis bus", and in support of this statement, the Examiner cited Verthein at col. 3, lines 1-7 and 9-14. Verthein at col. 3, lines 1-7 and 9-14 discloses the following:

...computing platform to run network server programs on the operating system locally, i.e., in the communication chassis, computing functionality that has been provided only by remote computers on a local area network in the prior art is incorporated into the communications chassis itself, providing for improved network management, increased network security and reduced access and processing time, all in a

In a preferred form, the chassis comprises a plurality of slots receiving cards incorporating therein the telephone interface, network interface and the signal conversion system, and wherein the communications chassis further comprises at least one card, insertable into said one of the slots, having incorporated therein the general purpose computing platform.

Contrary to the Examiner's statement, there is nothing in these portions of Verthein regarding transmitting configuration information to cards in the chassis via the internal chassis bus. These cited portions of Verthein do not even mention configuration information.

The Examiner also stated in the above block quote that "[h]ence, given the teaching of Verthein, it would have been obvious for one of ordinary skill in the art at the time of the invention to use Verthein general computing card to manage a cards in a chassis such as that of the Admitted Prior Art system because it would have provided management function within the chassis and reduces access time to the chassis (Verthein col. 3 lines 5-8)". Again, the Examiner's statement ignores the claim language. Claim 1 does not recite "a computing card to manage cards in a chassis." Independent claim 1 recites "the management card including at least one user interface for receiving network address information from a user". Applicant did not admit that this limitation is prior art. There is no teaching or suggestion in Verthein that the computing card 24 (or any other card disclosed therein) includes at least one user interface for receiving network address information from a user. Independent claim 1 also recites "the management card configured to send received network address information

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to the plurality of host processor cards via the at least one bus, thereby configuring the host processor cards for management LAN communications." Applicant did not admit that this limitation is prior art. There is no teaching or suggestion in Verthein that the computing card 24 (or any other card disclosed therein) is configured to send received network address information to a plurality of host processor cards via a bus, thereby configuring the host processor cards for management LAN communications.

In the Response to Argument section of the Examiner's Answer, the Examiner also stated that:

It is not clear from the claim language whether "user interface" means the input hardware (i.e. keyboard, mouse) or the software display that permit a user to enter information. However, both interpretations read on the prior art applied. Verthein discloses providing user interface ports for connection of keyboard, mouse and a display so that a user can directly access and input data to the general computing card (col. 4 lines 31-36). Since Admitted Prior Art system is now modified to have a general computing card of Verthein in the chassis for management of the host processing cards instead of using an external RS232 terminal, it is obvious that the 'user interface' (e.g. the program to permit a user to manually enter IP address and manage the host processing cards of the Admitted Prior Art) would be installed or rewritten to run in the general processing card. Therefore, the system as modified in the rejection would have had a user interface (input hardware and software) for receiving IP address from the user as claimed. (Examiner's Answer at page 9).

The Examiner is proposing multiple modifications to the "admitted prior art system" with no support in the prior art to make such modifications. First, the Examiner appears to indicate that the computing card 24 disclosed in Verthein could be incorporated into a server system with a plurality of host processor cards, despite no teaching or suggestion in the cited prior art to make such a modification. Next, after the server system has been completely reconfigured to incorporate the computing card 24, the Examiner appears to indicate that the computing card 24 would then be further modified to provide additional functionality so that the card 24 could take the place of the RS-232 connections discussed in the Background of the Invention section of the present Application. There is no teaching or suggestion in the cited prior art to make such modifications, or add such further functionality, to the computing card 24. The Examiner is impermissibly using hindsight to attempt to modify the prior art references based on the teachings of the present application.

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In addition, there is no suggestion to combine the references in the manner proposed by the Examiner. The Federal Circuit has stated, "[i]n holding an invention obvious in view of a combination of references, there must be some suggestion, motivation, or teaching in the prior art that would have led a person of ordinary skill in the art to select the references and combine them in the way that would produce the claimed invention." *Karsten Manufacturing Corp. v. Cleveland Golf Co.*, 58 U.S.P.Q.2d 1286, 1293 (CAFC 2001). In the present case, there is no teaching or suggestion in the cited prior art to combine "the admitted prior art", Verthein, and Sides, in a manner that would produce the claimed invention.

In view of the above, independent claim 1 is not taught or suggested by the cited prior art, either alone, or in combination. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 1, and the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn.

Dependent claims 2-7 further limit patentably distinct claim 1, and are believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claims 2-7, and the rejection of claims 2-7 under 35 U.S.C. § 103(a) should be withdrawn. Dependent claims 2-6 are also further distinguishable over the cited prior art, as addressed in further detail below.

B. Rejection of Claim 2 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein and Sides

Dependent claim 2 recites "the server system of claim 1, wherein the at least one bus is an I²C bus." The Examiner acknowledged that the "the admitted prior art" and Verthein do not teach or suggest this limitation. (Office Action mailed February 10, 2005, at page 3). There is also no teaching or suggestion in the cited prior art to combine Sides with "the admitted prior art" and Verthein, in a manner that would produce the claimed invention. Since dependent claim 2 is not taught or suggested by the cited prior art, claim 2 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 2, and the rejection of claim 2 under 35 U.S.C. § 103(a) should be withdrawn.

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C. Rejection of Claim 3 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein and Sides

Dependent claim 3 recites "the server system of claim 2, wherein the at least one bus is an intelligent platform management interface (IPMI) I²C bus." The Examiner acknowledged that "the admitted prior art" and Verthein do not teach or suggest this limitation. (Office Action mailed February 10, 2005, at page 3). There is also no teaching or suggestion in the cited prior art to combine Sides with "the admitted prior art" and Verthein, in a manner that would produce the claimed invention. Since dependent claim 3 is not taught or suggested by the cited prior art, claim 3 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 3, and the rejection of claim 3 under 35 U.S.C. § 103(a) should be withdrawn.

D. Rejection of Claim 4 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein and Sides

Dependent claim 4 recites "the server system of claim 3, wherein the network address information sent from the management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands." The Examiner has not identified any prior art that teaches or suggests using an augmented IPMI protocol as recited in dependent claim 4. There is also no teaching or suggestion in the cited prior art to combine Sides with "the admitted prior art" and Verthein, in a manner that would produce the claimed invention. Since dependent claim 4 is not taught or suggested by the cited prior art, claim 4 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 4, and the rejection of claim 4 under 35 U.S.C. § 103(a) should be withdrawn.

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E. Rejection of Claim 5 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein and Sides

Dependent claim 5 recites "the server system of claim 1, wherein the network address information includes internet protocol (IP) address information." With respect to claim 5, the Examiner stated that "manual assignment of IP address to the host processing card is in the admitted prior (see Applicant's specification page 1)." (Examiner's Answer at page 6). The "admitted prior art" does not teach or suggest a management card configured to send received network address information to a plurality of host processor cards via at least one bus. The "admitted prior art" does not teach or suggest a management card configured to send received internet protocol (IP) address information to a plurality of host processor cards via at least one bus. The Examiner has not identified any prior art that teaches or suggests the limitations of claim 5. There is also no teaching or suggestion in the cited prior art to combine Sides with "the admitted prior art" and Verthein, in a manner that would produce the claimed invention. Since dependent claim 5 is not taught or suggested by the cited prior art, claim 5 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 5, and the rejection of claim 5 under 35 U.S.C. § 103(a) should be withdrawn.

F. Rejection of Claim 6 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein and Sides

Dependent claim 6 recites "the server system of claim 5, wherein the IP address information includes an IP address, gateway address, subnet address, and host name." The Examiner has not identified any prior art that teaches or suggests the limitations of claim 6. There is also no teaching or suggestion in the cited prior art to combine Sides with "the admitted prior art" and Verthein, in a manner that would produce the claimed invention. Since dependent claim 6 is not taught or suggested by the cited prior art, claim 6 is believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claim 6, and the rejection of claim 6 under 35 U.S.C. § 103(a) should be withdrawn.

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V. New Rejection of Claims 8, 14, and 20 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein and Sides

In the Examiner's Answer mailed on February 15, 2006, the Examiner rejected claims 8, 14, and 20 under 35 U.S.C. §103(a) as being unpatentable over "the admitted prior art" in view of Verthein et al., U.S. Patent No. 6,678,284 ("Verthein"), Sides et al., U.S. Patent No. 6,363,449 ("Sides"), and Liu, U.S. Patent No. 6,185,110 ("Liu"). Dependent claims 8, 14, and 20 further limit patentably distinct claims 1, 9, and 15, respectively. The cited prior art does not teach or suggest the limitations of these independent claims addressed above and in the Appeal Brief filed on January 3, 2006. There is also no teaching or suggestion in the cited prior art to combine Sides with "the admitted prior art" and Verthein, in a manner that would produce the claimed invention.

Since dependent claims 8, 14, and 20 further limit patentably distinct claims 1, 9, and 15, respectively, and are further distinguishable over the cited prior art, claims 8, 14, and 20 are believed to be allowable over the cited prior art. Appellants respectfully submit that the Examiner has not established a *prima facie* case of obviousness of claims 8, 14, and 20, and the rejection of claims 8, 14, and 20 under 35 U.S.C. § 103(a) should be withdrawn.

CONCLUSION

For the reasons discussed above, in addition to those reasons set forth in the Appellant's Appeal Brief, the cited art neither anticipates nor renders the claimed invention obvious, and therefore the claimed invention does patentably distinguish over the cited art. Appellant submits that the rejections to pending claims 1-20 under 35 U.S.C. § 103(a) must be withdrawn and that those claims be allowed. Therefore, Appellant respectfully requests reversal of the Examiner's rejection of pending claims 1-20 and find all pending claims allowable.

Any inquiry regarding this Reply Brief should be directed to either David A. Plettner at Telephone No. (408) 447-3013, Facsimile No. (408) 447-0854 or Jeff A. Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via telefacsimile to Examiner Dung C. Dinh, Group Art Unit 2152, at Fax No. (571) 273-8300 on this 31st day of March, 2006.

By: Jeff A. Holmen

Name: Jeff A. Holmen

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CLAIMS APPENDIX

- 1.(Original) A server system comprising:
 - a plurality of host processor cards;
 - a management card coupled to the plurality of host processor cards via at least one bus, the management card including at least one user interface for receiving network address information from a user, the management card configured to send received network address information to the plurality of host processor cards via the at least one bus, thereby configuring the host processor cards for management LAN communications.
- 2.(Original) The server system of claim 1, wherein the at least one bus is an I²C bus.
- 3.(Original) The server system of claim 2, wherein the at least one bus is an intelligent platform management interface (IPMI) I²C bus.
- 4.(Original) The server system of claim 3, wherein the network address information sent from the management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.
- 5.(Original) The server system of claim 1, wherein the network address information includes internet protocol (IP) address information.
- 6.(Original) The server system of claim 5, wherein the IP address information includes an IP address, gateway address, subnet address, and host name.
- 7.(Original) The server system of claim 1, wherein the at least one user interface includes at least one serial port and at least one LAN interface.
- 8.(Original) The server system of claim 7, wherein the at least one user interface further includes at least one LCD panel mounted on the server system.

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9.(Original) A server management card for a server system having a plurality of host processor cards, the server management card comprising:

- at least one user interface for allowing a user to enter network address information;
- at least one I²C bus connection for connecting the server management card to the plurality of host processor cards via at least one I²C bus; and
- a controller configured to output entered network address information to the plurality of host processor cards via the at least one I²C bus connection, thereby configuring the plurality of host processor cards for network communications.

10.(Original) The server management card of claim 9, wherein the at least one I²C bus is an intelligent platform management interface (IPMI) I²C bus.

11.(Original) The server management card of claim 10, wherein the network address information output from the server management card to the plurality of host processor cards is sent using an augmented IPMI protocol that includes additional host processor card configuration commands.

12.(Original) The server management card of claim 9, wherein the network address information includes internet protocol (IP) address information.

13.(Original) The server management card of claim 12, wherein the IP address information includes an IP address, gateway address, subnet address, and host name.

14.(Original) The server management card of claim 9, wherein the at least one user interface includes at least one serial port, at least one LAN interface, and at least one LCD panel mounted on the server system.

15.(Original) A method of configuring host processor cards in a server system for management network communications, the method comprising:

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providing a management card in the server system having at least one user interface;
providing at least one bus connecting the management card and the host processor
cards;
entering network address information to the management card through the at least one
user interface; and
sending entered network address information from the management card to the host
processor cards, thereby configuring the host processor cards for management
network communications.

16.(Original) The method of claim 15, wherein the at least one bus is an I²C bus.

17.(Original) The method of claim 16, wherein the at least one bus is an intelligent platform
management interface (IPMI) I²C bus.

18.(Original) The method of claim 17, wherein the network address information sent from
the management card to the host processor cards is sent using an augmented IPMI protocol
that includes additional host processor card configuration commands.

19.(Original) The method of claim 15, wherein the network address information includes an
internet protocol (IP) address, gateway address, subnet address, and host name.

20.(Original) The method of claim 15, wherein the at least one user interface includes at
least two of a serial port, a LAN interface, and an LCD panel mounted on the server system.

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EVIDENCE APPENDIX

None.

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RELATED PROCEEDINGS APPENDIX

None.

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